

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

RICHARD A. YANAGI,
as Trustee of the Bankruptcy Estate of
Myrna M. Herrero, et al.,

Plaintiffs,

vs.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

Case No. 21-cv-00444-DKW-KJM

Bankr. No. 10-02991
Adv. No. 21-90005

**ORDER ADOPTING
RECOMMENDATION TO
WITHDRAW REFERENCE¹**

On November 9, 2021, the U.S. Bankruptcy Court for the District of Hawai'i entered a recommendation to withdraw the reference of Adversary Proceeding No. 21-90005, *Yanagi et al. v. Bank of America, N.A., et al.*, for purposes of scheduling a jury trial in this matter ("recommendation"). Dkt. No. 1-1.

Having considered the recommendation, and with no timely objection having been filed with respect thereto, *see* Fed.R.Bankr.P. 9033(b), the Court ADOPTS the recommendation as set forth below. The reference of Adversary Proceeding No. 21-90005 is withdrawn *solely* to schedule a jury trial before this Court. The parties may contact the assigned Magistrate Judge for that purpose.

¹Pursuant to Local Rule 7.1(c), the Court finds this matter suitable for disposition without a hearing.

For all other purposes, the above-mentioned adversary proceeding shall remain referred to the Bankruptcy Court until ninety (90) days prior to the scheduled trial date, which shall include, without limitation, setting and adjusting deadlines for discovery, filing motions to join parties, amending the complaint, compelling discovery, dispositive motion practice, and settlement.

IT IS SO ORDERED.

Dated: November 30, 2021 at Honolulu, Hawai‘i.



/s/ Derrick K. Watson
Derrick K. Watson
United States District Judge

Richard A. Yanagi v. Bank of America, N.A., et al; Civil No. 21-00444 DKW-KJM; **ORDER ADOPTING RECOMMENDATION TO WITHDRAW
REFERENCE**